

Appl. No. 10/634,196
Reply to Office Action of March 13, 2007

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REMARKS

Applicants have received and reviewed a final Office Action dated April 13, 2007. By way of response, Applicants have canceled claims 17, 30, 31, and 38-41 without prejudice and amended claim 16 and each of the independent claims, claims 1, 28, and 29. Claims 1-4, 13-14, 16, 18-23 and 25-29, 32-33, and 37 are pending. No new matter is presented. Applicants submit that the pending claims are supported by the specification.

For the reasons given below, Applicants submit that the pending claims are in condition for allowance and notification to that effect is earnestly solicited.

Examiner Interview

Applicants and Applicants' undersigned representative thank the Examiner for courtesies extended during the interview on June 12, 2007. At that interview, the Examiner suggested that the prior art rejections might be overcome by amending the independent claims to remove recitation of any ingredient that might be an anionic surfactant. The present amendment removes from the independent claims the recitations of "anionic surfactant", "stabilizing agent", "wetting agent", and "foaming agent", each of which could be an anionic surfactant. Accordingly, Applicants respectfully submit that the amended claims are in condition for allowance, and notification to that effect is earnestly solicited.

Again, Applicants and Applicants' undersigned representative thank the Examiner for courtesies extended during the interview.

Claim Rejections Under 35 U.S.C. § 103(a)

The Examiner rejected claims 29-33 and 38-41 under 35 USC 103(a) as obvious over Smith et al., US 6,617,303 in view of Baker et al., US 2002/0119907, or Hei et al., US 2002/072288. The Examiner rejected claims 1-4, 13, 14, 16, 17, 19, 20, 22, 23, 25-33, and 37-41 under 35 USC 103(a) as obvious over Man, US 6,425,959 in view of Baker et al. or Hei et al. The Examiner rejected claims 1-4, 13, 14, 16, 17, 19, 20, 22, 23, 25, 26, 28-33, and 37-41 under 35 USC 103(a) as obvious over Baker et al. in view of Smith et al. The Examiner rejected claims 1-4, 13, 14, 16, 17, 19, 20, 22, 23, 25, 26, 28-33, and 37-41 under 35 USC 103(a) as obvious over Hei et al. in view of Smith et al. The Examiner rejected claims 1-4, 13, 14, 16-19,

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22, 23, 25, 26, 28-33, and 37-41 under 35 USC 103(a) as obvious over WO 95/04459 in view of Smith et al. '303. The Examiner rejected claim 21 under 35 USC 103(a) as obvious over Baker et al. or Hei et al. in view of Smith et al. '303, as applied to rejected claims above, and further in view of Wulff et al., US 5,962,399. The Examiner rejected claim 27 under 35 USC 103(a) as obvious over Baker et al. or Hei et al., both in view of Smith et al. '303, as applied to rejected claims above, and further in view of Penninger et al., US 6,228,827. Claims 17, 30, 31, and 38-41 have been canceled, which renders these rejections moot for these claims. Applicants respectfully traverse these rejections.

As suggested by the Examiner at the interview on June 12, 2007, Applicants have amended the independent claims to remove the recitations of "anionic surfactant", "stabilizing agent", "wetting agent", and "foaming agent", each of which could be an anionic surfactant. At the interview, the Examiner suggested that the prior art rejections might be overcome by amending the independent claims to remove recitation of any ingredient that might be an anionic surfactant.

The Smith et al. '303 reference suggests employing alkoxylated amines as counterions for anionic surfactants. The Smith et al. reference does not disclose or suggest employing the recited alkoxylated amines in antimicrobial compositions. Nor do the other references cited in the rejections. Accordingly, the references cited in the rejections neither teach nor suggest the presently claimed invention.

Accordingly, based on the foregoing differences, Applicants respectfully submit that the references cited in the rejections neither teach nor suggest the presently claimed invention, and withdrawal of this rejection is respectfully requested.

Double Patenting

The Examiner asserted that claim 40 duplicates claim 29. Claim 40 has been canceled, which renders this objection moot.

Summary

In summary, Applicants submit that each of claims 1-4, 13-14, 16, 18-23 and 25-29, 32-33, and 37 are in condition for allowance, and notification to that effect is earnestly solicited.

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The Examiner is invited to contact Applicant's undersigned representative at the telephone number listed below, if the Examiner believes that doing so will expedite prosecution of this application.

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